



Propane Model Operating, Maintenance and Emergency Plans Fact Sheet May 2004

What are the model plans? What do they cover?

The model *Propane Operating, Maintenance and Emergency Plans* are a tool to help Maine propane system operators comply with state and federal laws and regulations. The plans cover procedures for propane operators in three critical areas – operations, maintenance and emergencies – and make complying with the law easier and less expensive.

These plans cover federal regulations in 49 Code of Federal Regulations Parts 192.605 and 192.615, adopted in Chapter 420 of the Maine Public Utilities Commission's regulations. Using the model plans will ensure our determination, as State Agent, that you are in compliance with the minimum federal standards and state requirements with respect to plans, although we cannot provide assurances on the position federal authorities and courts would take on the question of compliance should matters arise that require their involvement.

Who should use them? All "jurisdictional" propane operators are required by state and federal law to have operations, maintenance and emergency plans and to ensure they cover certain issues. *Jurisdictional* systems are those serving ten or more residential customers, or two or more customers served in a public place, from a single or a manifolded-tank system. The model plans are designed for all operators.

What are the benefits of using the plans? By adopting the model plans, operators can more easily comply with the law. Many important regulatory requirements are addressed in the plans, in appropriate sections, so they are easier for operators and their employees to follow. Adopting and following the plans should reduce the risk you will fall out of compliance with the law, thereby helping to reduce your potential legal liability in the event of a problem. Adopting the model plans also saves you the trouble of drafting your own, although you are free to do so.

Who wrote the plans, and why? The Maine Public Utilities Commission, as the certified agent of the federal Office of Pipeline Safety in Maine, wrote the plans. The Commission decided to draft the plans after inspecting some existing operator plans and determining that they were inadequate. Model plans seemed like a good way to make it easier and less costly for operators to comply with the law, and may speed up the annual operator inspections process.

I've never had plans like these before. Why should I start now? These plans, or plans like them, are required by law. In addition, the Commission has started a periodic, comprehensive inspection program for jurisdictional propane facilities and operations to help ensure public health and safety. All jurisdictional operators will be inspected to ensure their installations and operations comply with the law and that their plans and records are complete.

But I only have a few jurisdictional customers. Why do I need these plans? The plans promote public safety, regardless of the number of jurisdictional facilities you operate.

What's involved in using them? How do I “adopt” them? Do I need a lawyer or engineer?

To use the plans, fill in the information (such as company name) requested in the plans (thereby “adopting” them), follow the plans, keep the required records, and make the plans and your facilities available for inspection. The plans also include all required record-keeping forms, saving you even more time in compliance. Just set up a folder for each facility, and as you complete the necessary inspections and paperwork, file the forms in the relevant folders. You do not need to remove sections of the plans that are not relevant to your system, although you may remove any such sections if you wish. You do not need a lawyer or engineer to adopt the plans.

What is the cost of using the plans? It’s free. The only costs are your time in filling in the plans, to customize them to your system, and your time to follow them. But they may also save you even more time in operations, compliance and inspection than it takes to adopt them.

Do I have to update the plans? Yes. If there are changes in your facilities, you must update your plans accordingly as your facilities change. In addition, each year you must also review the plans, and make a note on them of the date you reviewed and re-adopted them. Other than that, no updates are necessary, unless there are changes in the laws or rules governing the plans.

Do all my employees have to know the plans? All employees involved in operations, maintenance or emergency response for jurisdictional facilities must have working knowledge of the plans to ensure that their work and your facilities are in compliance with the law. The employees also must have ready access to the plans in their office in case they have questions.

My employees work out of several different offices. Can they all use the same plans? Operators with multiple offices must keep a current set of plans at each office. You only need, however, to adopt one set of plans – just make sure each of your offices has the latest copy.

Once I adopt the plans, is there anything else I need to do to run a safe system? Yes. You must also closely follow the plans. In addition, you should take any steps not covered in the plans that you believe are necessary to run a safe system.

When must I have the plans in place? All operators must already have in place operating, maintenance and emergency plans that meet the requirements of state and federal regulations. The Commission does not intend, however, to begin inspecting operator plans again until late June, 2004, to give those operators who wish to adopt the model plans enough time to do so.

What if I don't want to use the model plans? What will happen to me? Operators may use any plans that conform to federal and state regulations. Regardless of how you choose to comply with the requirement for operating, maintenance and emergency plans, any operator not in compliance may be subject to fines and other actions, and may face greater liability for damages or injuries associated with facilities or company operations that are not in compliance.

How do I get a copy of the model plans? The plans are available on the Commission’s website at www.state.me.us/mpuc/gas_safety.htm. Or you may contact Gary Farmer, the Commission’s gas safety program manager, at gary.farmer@maine.gov or 207-287-1385.

I still have questions. Who can help? If you still have questions, contact Gary Farmer, the Commission’s gas safety program manager, at 207-287-1385 or gary.farmer@maine.gov.